

REMARKS

Summary of Office Action And Advisory Action

Claims 1-28 and 37-51 were pending in the above-identified patent application, claims 29-36, 52 and 53 having previously been cancelled.

The Examiner finally rejected claims 1-3, 16-23, 37-40, and 42-51 under 35 U.S.C. 103(a) as allegedly being obvious from Ding et al. U.S. Patent No. 7,058,880 in view of Walker et al. U.S. Patent No. 6,845,472.

Each of claims 4-15 and 41 was objected to as depending from on a rejected base claim, but allowable subject matter was indicated. Claims 24-28 were allowed.

On July 23, 2007, applicants filed a reply to the final Office Action, proposing amendments of various claims. On August 2, 2007, the Examiner issued an Advisory Action refusing to enter the proposed amendments, stating that they raised new issues or, as to certain claims, new matter.*

Applicants' Reply

Applicants note with appreciation the allowance of claims 24-28, and the continued indication of allowable subject matter in claims 4-15 and 41.

Applicants have proposed incorporating the limitations of allowable claim 4 into claim 1, have proposed rewriting allowable claims 10 and 14 in independent form, and have proposed incorporating the limitations of allowable claim 41 into independent claim 37. Applicants have further

* The Advisory Action also indicated that if an appeal were filed, claims 29-36 would have a status of "withdrawn." However, claims 29-36 were cancelled in the Preliminary Amendment of March 10, 2006, and that cancellation was implicitly acknowledged in the May 30, 2007 Office Action, which did not act on claims 29-36.

proposed cancelling claims 20-23 and 45-51.* Conforming amendments of the dependencies of claims 5 and 8 also have been proposed. In proposing the foregoing amendments, applicants also have included in all proposed independent claims certain clarifying amendments proposed for claims 1 and 37 in their previous unentered Reply.

The amendments proposed herein are without prejudice, and applicants expressly reserve the right to pursue the cancelled claims, as well as claims 1-3 and 16-19 as they existed before this amendment, and unentered claims 54 and 55, in one or more continuing applications.

Statement Under 37 C.F.R. § 1.116(b)(1)

Applicants respectfully request that the amendments presented herein be entered under 37 C.F.R. § 1.116(b)(1). Applicants believe that the proposed amendments place this application in condition for allowance by complying with requirements of form set forth in the final Office Action.

Conclusion

In view of the foregoing, applicants respectfully submit that this application, as amended, including claims 1-3, 5-19, 24-28, 37-40 and 42-44, is in condition for allowance.

* Claims 54 and 55, proposed in applicants' previous Reply to the final Office Action, were refused entry in the Advisory Action. Accordingly, they are not being cancelled in this Reply, but are indicated as not having been entered. Moreover, because other amendments in the previous Reply also were not entered, the claim amendments in this Reply are being made relative to the state of the claims at the time of the final Office Action.

Reconsideration, entry of the proposed amendments, and prompt allowance of this application are respectfully requested.

Respectfully submitted,

/Jeffrey H. Ingerman/

Jeffrey H. Ingerman
Reg. No. 31,069
Attorney for Applicants
FISH & NEAVE IP GROUP
ROPES & GRAY LLP
Customer No. 36981
1211 Avenue of the Americas
New York, New York 10036-8704
Tel.: (212) 596-9000